

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

December 21, 1999

- F031060      People v. Hernandez**  
The judgment is affirmed.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F031859      People v. Grant**  
The judgment is affirmed.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F031506      People v. Martinez**  
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.
- F030196      People v. Plummer**  
Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.
- F033096      In re Caleb N., a Minor**  
The above-entitled case is submitted for decision.
- F031806      People v. Alejo**  
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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**F031321      People v. Garza**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F031355      People v. Thompson, et al.**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F031890      In re Kevin L., a Minor**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F031168      People v. Mayfield**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F031568      People v. Elizalde**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F032280      People v. Boner**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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**F031639      People v. Galvan**

The judgment is reversed. Harris, J.

We concur: Thaxter, Acting P.J.; Buckley, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F028295      People v. Oliver**

The judgment of conviction and the sentence as to count III is reversed. In all other respects, including the judgments of conviction and the sentences on counts I, II and IV, respectively, are affirmed. The trial court shall see to the correction and proper distribution of an amended abstract of judgment. Dibiaso, Acting P.J.

We concur: Vartabedian, J.; Silveira, J., Pro Tem J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F034105      People v. Alatorre**

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F031736      People v. Gastelum**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F034272      Ripley et al. v. Penoyer Farms**

Appellant having failed to perform the acts necessary to procure the record after the clerk of the trial court issued notice pursuant to the provisions of rule 10(c), California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

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**F031923      People v. Tate**

The judgment is modified by striking the July 29, 1999, duplicative \$200 section 1202.4, subdivision (b) restitution fine and \$270 fine with penalty assessment. The previously ordered restitution fine and fine remain in effect. In all other respects, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]